

REMARKS

Claims 1-28 are currently pending. With this response, claims 24-25 have been cancelled without prejudice and claim 23 has been amended to provide correct claim dependency. Thus, upon entry of the present amendment, claims 1-23 and 26-28 will be pending. No new matter has been added by way of the amendments to the claims.

In the October 4, 2006 Office Action, the Examiner rejected claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by United States Patent Publication Number 2004/0153514 to Crane (hereinafter "Crane"). With respect to claims 24-25, the rejection is moot because Applicants have cancelled these claims without prejudice. Applicant traverses the rejection as it applies to claims 1-23 and 26-28.

Applicant's claims should be interpreted reasonably and in light of the specification. Applicant's claim 1 recites:

a social networking module for supporting said computerized social network, wherein said social networking module further comprises a friend access routine that includes:

instructions for receiving a request from a first user to access users in the personal profile of a second user; and

instructions for determining which of the users in the personal profile of the second user can be accessed by the first user.

Instructions for determining which of the users in the personal profile of the second user can be accessed by the first user are necessary because the first user is not automatically eligible to view all the users in the personal profile of the second user. See for example, page 13, lines 30-32, of the specification "[t]he exemplary steps of Fig. 3 describe a method that determines which of user B's friends will be disclosed to user A and which of user B's friend will not be disclosed to user A."

As outlined in Figure 3 of Applicant's specification, when User A requests to view all users in User B's personal profile, User A does not necessarily get to see all the users in User B's personal profile. In the embodiment illustrated in Figure 3, User A does not get to see those users that are in User B's private groups unless such users and User A are in a common private group. This and other rules for determining which of the users in User B's profile that User A may see is highly advantageous. It allows for the creation, for example, of both private and public groups with specific social purposes and ensures that such groups function in a cohesive manner with the correct amount of confidentiality and exclusivity.

In complete contrast, in Crane, when User A requests to view all users in User B's personal profile, he may do so, no matter what the relationship is between User A and User B, or for that matter, which the relationship is between User B and the users in User B's personal profile. This is because the users in User B's personal profile are User B's affiliates. They vouch for User B. They provide candid commentary on the characteristics of User B. See, for example, paragraph 90 of Crane:

If the investigator (*User A*) access the profiler's (*User B*) feature profile and discovers 142 that there are indeed allies of the profile existing on the feature profile (*users in User B's profile*), the investigator (*User A*) may either contact 146 the profiler (*User B*) directly, using the name of one of the allies as a reference, or the investigator (*User A*) may contact 178 one or more of the allies.

Nomenclature and emphasis added

See also, paragraph 108 of Crane where it is stated that "[e]ach ally is capable of many roles, among which are to witness for, identify, validate, make reputable, serve as contacts for, etc. each person or entity for whom they are acting as an ally. Thus, in Crane, contact between User A and the users in User B's personal profile is encouraged to: (i) learn more about User B, (ii) develop a basis for forming a relationship with User A, or to (iii) form a direct relationship with the users in User B's personal profile.

Modification of Crane such that when User A requests to view all users in User B's personal profile, User A does not necessarily get to see all the users in User B's personal profile would defeat the intended purpose of Crane. Free and open contact with each of the users in User B's personal profile (User B's affiliates) is necessary in order to get an objective and well rounded assessment of the personality of User B as determined by User B's affiliates, and or get to know Users B's affiliates as a segue to getting to know User B himself.

For the above-identified reasons, Applicant submits that Crane does not teach or suggest "instructions for determining which of the users in the personal profile of the second user can be accessed by the first user" as recited in Applicant's claim 1. In making the argument that Crane does not teach or suggest claim 1, the Applicants is not asserting that claim 1 encompasses *any* method in which User A is only allowed to see specific users in User B's profile, just the methods recited in the instant claims. However, Crane teaches no selection method whatsoever. In Crane, if User A is entitled to see User B's profile, User A may see each and every ally in User B's profile.

Claim 2 depends from claim 1 and therefore is patentable over Crane for at least the same reasons that claim 1 is patentable over Crane. Claim 2 provides specific rules for determining which of the users in User B's profile User A may access. As discussed above, Crane allows access to all of the users in User B's profile. The Examiner states that the portion of Crane which discusses the Group Association Function (paragraphs 133- 139) anticipates Applicant's claim 2. This is not the case. There is no discussion in the Crane Group Association Function of excluding any of the users in User B's profile from User A based on group membership. Group membership in Crane is an additional feature that provides another way for the members of Crane's social network to interact with each other. The examples of groups given in Crane include group mailing lists (Crane paragraph 137), group invitations to an event (Crane paragraph 138), and a search engine option in which groups in which anyone can join are created (Crane paragraph 139). Each of these examples are merely auxiliary social groups with no exclusionary principle. Further, there is no teaching or suggestion of public groups and private groups in Crane as recited in Applicants' claim 2. Also, there is no discussion in Crane of using the concept of public and private groups to determine which of the users in User B's profile User A can access in the manner recited in Applicant's claim 2.

Claim 3 depends from claim 2 and therefore is patentable over Crane for at least each of the above-identified reasons set forth above. Moreover, contrary to the Examiner's contentions, paragraphs 151, 161, 139, 181 and 182 do not anticipate the claim limitations of claim 3. The only hint of exclusivity in any of these paragraphs relied upon by the Examiner is the user blocks described in paragraph 151. But the Crane user block is an entirely different concept than that which is claimed by the Applicant. The Applicant's claims are directed to rules for determining which users in the profile of User B may be viewed by User A. The user block described in paragraph 151 of Crane would prevent User B from even accessing the profile of User A. So the Crane user block simply cannot be equated to Applicant's instructions for determining which of the users in the personal profile of the second user can be accessed by the first user (which users in user B's profile may be accessed by user A).

Claims 4-21 ultimately depend on claim 1 and are therefore patentable over Crane for at least the same reasons that claim 1 is patentable over Crane.

Like claim 1, claim 22 includes the limitation:

instructions for receiving a request from a first user to access users in the personal profile of a second user; and

instructions for determining which of the users in the personal profile of the second user can be accessed by the first user,

and is therefore patentable over Crane for the same above-identified reasons that claim 1 is patentable over Crane. Claim 23, as amended, depends from claim 22 and is therefore patentable over Crane for at least the same reasons that claim 22 is patentable over Crane.

Claims 26 and 27 are patentable over Crane because Crane does not teach or suggest the use of public and private groups as a basis for determining which of the users in User B's profile User A may access.

Claim 28 is patentable over Crane because Crane does not teach or suggest allowing User B to determine whether User A is in a group in a personal profile associated with user C, where the identity of user C was obtained from User A's profile.

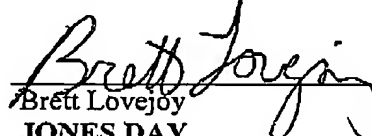
For the foregoing reasons, Applicants request that the 35 U.S.C. § 102(e) rejection of claims 1-23 and 26-28 be withdrawn.

CONCLUSION

Applicants respectfully request entry of the foregoing amendments and remarks into the file of the above-identified application.

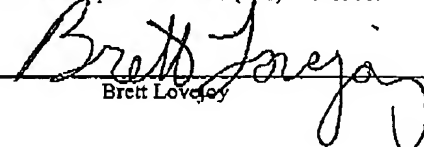
Respectfully submitted,

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CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

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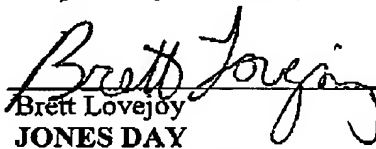
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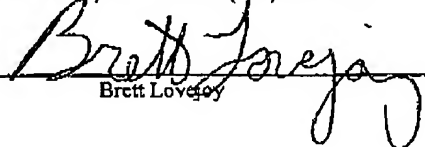
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